

Notice of Allowability	Application No.	Applicant(s)
	09/936,775	BAZYLENKO ET AL.
	Examiner Kevin S Wood	Art Unit 2874

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the Applicants Amendment filed on 18 February 2004.
2. The allowed claim(s) is/are 1-24.
3. The drawings filed on 17 September 2001 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

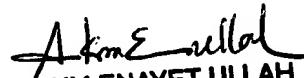
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of
 Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.



AKM ENAYET ULLAH
PRIMARY EXAMINER

DETAILED ACTION

Response to Amendment

1. This Office Action is responsive to the Applicant's Amendment filed on 18 February 2004. Claim 25 is now cancelled. Claims 1-24 are now pending in the Application.

Response to Arguments

2. Applicant's arguments filed 18 February 2004 with respect to claims 1-24 have been fully considered and have been found to be persuasive. The applicant argues that claims 1-24 are allowable and that the application is now in condition for allowance, now that the only rejected claim, claim 25, has been cancelled. The examiner agrees that claims 1-24 are allowable for the reasons stated in the previous office action and that the application is now in condition for allowance.

Allowable Subject Matter

3. Claims 1-24 are allowed.

4. The following is a statement of reasons for the indication of allowable subject matter:

Referring to claims 1-19, the primary reason for allowing these claims in the inclusion of the amorphous silicon waveguide being formed using chemical vapor deposition (CVD).

Referring to claim 20, the primary reason for allowing these claims in the inclusion of the step of oxidizing the end of a silicon-based waveguide to facilitate optical coupling of the waveguide and an end of an optical fiber, the oxidation altering the refractive index profile of the waveguide.

Referring to claims 21-24, the primary reason for allowing these claims in the inclusion of a processing element being integrated with an amorphous silicon-based waveguide layer.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,307,186 to Izumi et al.

This reference discloses an amorphous optical waveguide layer (16) formed by chemical vapor deposition (CVD). However the waveguide was not formed on the substrate.

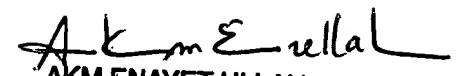
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin S Wood whose telephone number is (703) 605-5296. The examiner can normally be reached on Monday-Thursday (7am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney B Bovernick can be reached on (703) 308-4819. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2874

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 307-0956.

KSW


AKM ENAYET ULLAH
PRIMARY EXAMINER